

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

GARFIELD COUNTY
TRANSPORTATION AUTHORITY;
KING COUNTY; CITY OF SEATTLE;
WASHINGTON STATE TRANSIT
ASSOCIATION; ASSOCIATION OF
WASHINGTON CITIES; PORT OF
SEATTLE; INTERCITY TRANSIT;
AMALGAMATED TRANSIT UNION
LEGISLATIVE COUNCIL OF
WASHINGTON, and MICHAEL
ROGERS;

Plaintiffs,

v.

STATE OF WASHINGTON,

Defendant.

CASE NO. 19-2-30171-6 SEA

DECLARATION OF TIM EYMAN

I, Tim Eyman, being over 18 years old and legally competent to testify to the matters set forth herein, with personal knowledge of the same, now on oath, and subject to the laws of perjury in the state of Washington as enforced in King County, now declare as follows:

DECLARATION OF TIM EYMAN

STEPHEN W. PIDGEON
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1 1. I am one of the co-sponsors of Initiative Measure No. 976.

2 2. I filed the initiative on March 19, 2018, with the Secretary of State. The ballot title

3 and ballot summary for the Initiative were written by the Attorney General and issued on March 26,

4 2018.

5 3. I filed a ballot title challenge to the initiative on April 2, 2019. A hearing was set on

6 April 18, 2018, but the day before the hearing, a motion to dismiss the challenge was filed. The court

7 signed an order dismissing the action on April 18, 2018.

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9 4. Thereafter, a signature drive was initiated, and 352,093 voter signatures were

10 obtained and submitted to the Secretary of State on January 3, 2019.

11 5. On January 15, 2019, I-976 was certified by the Secretary of State.

12 6. As of November 21, 2019, the number of voters in Washington who voted in favor of

13 the Initiative were One Million Fifty-two Thousand Three Hundred and Six (1,052,306) votes yes

14 and Nine Hundred Thirty-Four Thousand Two Hundred and Forty-Five (934,245) of voters in

15 Washington voted against the measure, and the measure passed by 52.97% to 47.03% margin.

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17 7. Outside of King County, non-King County residents approved the measure by 59%,

18 (797,021) while King County voted 59% against.

19 8. In a recent communication with Noah Purcell, the Solicitor General representing the

20 defendant in this case on behalf of the State of Washington, disclosed to me that the Attorney

21 General's office will not be seeking a change in venue despite the fact that one of the Plaintiff's in

22 the case is King County which employs the judge. How can a judge who's paid by one of the

23 plaintiffs be seen as unbiased? Any King County Superior Court judge will be wrestling with the

24 conflict between limiting tax revenue to his employer by upholding I-976 because doing so puts his

25 own paycheck at risk. Even if assigned to another King County judge, the appearance of bias is

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1 undeniable (Solicitor General Purcell also confirmed that the Attorney General's office would not
2 file an affidavit of prejudice against the judge).

3 9. The conflicts argument also applies to Garfield County, another one of the plaintiffs.
4 Fortunately, there are 37 other counties that can serve as potential venues to hear the matter.

5 Signed in Bellevue, Washington this 22nd day of November 2019

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Tim Eyman

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